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City of Conway, Arkansas
Ordinance No. O-14-08

AN ORDINANCE AMENDING THE CONWAY ZONING ORDINANCE O-94-54 NOTIFICATION REQUIREMENTS FOR CONDITIONAL USE PERMITS, ZONING AMENDMENTS, AND ZONING VARIANCE REQUESTS; AND FOR OTHER PURPOSES:

WHEREAS, The City of Conway would like to reduce required paperwork and update mail notification requirements for conditional use permits, rezoning requests, and zoning variances using current USPS services to reduce applicant costs and add convenience;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

SECTION 1. The Conway Zoning Ordinance O-94-54. 801.4 Procedure For Appeals, B. Public Notice and Hearing shall be amended as follows:

In addition, the petitioner shall be required to notify by **certified USPS First Class** mail with **Certificate of Mailing** ~~return receipts requested~~ and/or petition, all property owners within two hundred (200) feet of ~~his the~~ property of ~~his their~~ intentions to seek a variance, not less than fifteen (15) days prior to the hearing. The petitioner shall state the date and time and location of the public hearing and describe the requested variance with the **certified** letter and/or petition. The **Certificates of Mailing** ~~postmarked certified receipts and/or return receipts~~ and/or petition shall be submitted to the Planning Department staff not less than **ten (10)** ~~five (5)~~ days prior to the meeting of the Planning Commission along with a map showing the location of the property in question, as well as the owners within 200 feet of the property and a letter from the petitioner certifying that the map shows a complete list of those property owners.

SECTION 2. The Conway Zoning Ordinance O-94-54. 901.4 Amendments. C. Procedure. 2. Shall be amended as follows:

A petition giving the legal description of the property involved and the zoning classification requested for the property, shall be submitted to the Planning Commission by the agent of the property owner no less than seventeen (17) days prior to the public hearing. The petition shall also include a statement and diagram explaining why the proposed changes will not conflict with the surrounding land uses. ~~A proposed ordinance rezoning the property shall also be submitted with the petition for approval as to its correctness and form.~~

SECTION 3. The Conway Zoning Ordinance O-94-54. 901.4 Amendments. C. Procedure. 3.(c) be amended as follows:

In addition, the petitioner will be required to notify by **certified USPS First Class** mail with **Certificate of Mailing** ~~return receipts requested~~ and/or petition, all property owners within two hundred (200) feet of ~~his the~~ property of ~~his their~~ intentions to rezone not less than fifteen (15) days prior to the hearing. The petitioner shall state the date and time of the public hearing with the **certified** letter and/or petition. The **Certificates of Mailing** ~~postmarked certified receipts and/or return receipts~~ and/or petition shall be submitted to the Planning Department staff not less than ten (10) days prior to the Planning Commission meeting along with a map showing the

location of the property in question as well as the owners within 200 feet of the property and a letter from the petitioner certifying that the map shows a complete list of those property owners.

SECTION 4. The Conway Zoning Ordinance O-94-54. 901.2 Conditional Use C. be amended as follows:

In addition, the property owner will be required to notify by **certified USPS First Class** mail with **Certificate of Mailing** ~~return receipts requested~~ and/or petition, all property owners within two hundred (200) feet of the property of ~~his~~ **their** intention to apply for a conditional use permit no less than fifteen (15) days prior to the public hearing. The petitioner shall state the date and time of the public hearing with a **certified** letter and/or petition. The **Certificates of Mailing** ~~postmarked certified receipts and/or return receipts~~ and/or petitions shall be submitted to the Planning Department staff not less than ten (10) days prior to the Planning Commission meeting along with a map showing the location of the property in question as well as the owners within 200 feet of the property and a letter from the petitioner certifying that the map shows a complete list of those property owners.

SECTION 5. All ordinances in conflict herewith are repealed to the extent of the conflict.

PASSED this 28th day of January, 2014.

Approved:


Mayor Tab Townsell

Attest:


Michael O. Garrett
City Clerk/Treasurer